

FILED



5:02 pm, 12/7/23

United States District Court
For The District of Wyoming

Nancy D. Freudenthal, United States District Judge

Margaret Botkins
Clerk of Court

Abby Logan, Courtroom Deputy
Jan Davis, Court Reporter

December 7, 2023

UNITED STATES OF AMERICA,
Plaintiffs

Government Attorney:
Michael Elmore

vs.

Case No. 22-CR-60-F

RONALD OSTROM,
Defendant.

Defendant's Attorneys:
Ryan Healy

COURTROOM MINUTES
JURY TRIAL DAY 4

8:39 a.m. Court resumes. Jury brought in.

8:41 a.m. **Government calls Jacqueline Blake.** Sworn in by the Courtroom Deputy. Direct examination of Nikki Blake by Michael Elmore for the Government. Government Exhibit 21-1 admitted by the Court.

8:47 a.m. Cross examination of Nikki Blake by Ryan Healy for the Defendant. Defense Exhibit CC admitted by the Court.

8:56 a.m. Side bar held with counsel.

8:59 a.m. Court resumes. Cross examination continues.

9:02 a.m. Re-direct examination of Nikki Blake by Michael Elmore.

9:09 a.m. Re-cross examination of Nikke Blake by Ryan Healy.

- 9:10 a.m. Nikki Blake excused from the witness stand but informed she remains under subpoena. **Government calls Rebecca Bellone.** Sworn in by the Courtroom Deputy.
- 9:11 a.m. Direct examination of Dr. Bellone by Michael Elmore for the Government. Government Exhibit 22-1, 22-2, 22-4, 22-5, 22-3, 4-4 admitted by the Court.
- 9:36 a.m. Cross examination of Dr. Bellone by Ryan Healy for the Government.
- 9:38 a.m. Re-direct examination of Dr. Bellone by Michael Elmore.
- 9:39 a.m. Dr. Bellone excused from the witness stand. **Government calls Dr. Robert Grah.** Sworn in by the Courtroom Deputy.
- 9:40 a.m. Direct examination of Dr. Grah by Michael Elmore for the Government. Government Exhibit 23-1, 23-3, 23-5 admitted by the Court.
- 9:52 a.m. No cross examination of Dr. Grah by Ryan Healy for the Government. Dr. Grah excused from the witness stand. Michael Elmore moves to withdraw Government Exhibit 8-63 and such is granted.
- 9:54 a.m. Judge informs everyone that she wishes to take morning break at this time. Brief admonition issued to the jury.
- 9:55 a.m. Court recessed for morning break.
- 10:16 a.m. Court resumes. Jury brought in.
- 10:18 a.m. **Government calls Hannah Nadeau.** Sworn in by the Courtroom Deputy. Direct examination of Hannah Nadeau by Michael Elmore for the Government.
- 10:20 a.m. No cross examination of Hannah Nadeau by Ryan Healy for the Defendant. **Government rests.**
- 10:21 a.m. Judge informs the jury that matters must be discussed outside the presence of the jury at this point. Jury excused.
- 10:23 a.m. Rule 29(a) Motion by Ryan Healy for the Defendant.
- 10:26 a.m. Michael Elmore responds for the Government.

- 10:36 a.m. Ryan Healy responds.
- 10:39 a.m. Judge denies the Motion for Judgment of Acquittal and puts her reasoning on the record.
- 10:43 a.m. Ryan Healy informs the Court that he will be calling his client to testify. Judge advises the defendant on such. Other matters discussed.
- 10:56 a.m. Jury brought in. Judge instructs the jury on the burden in this case being on the Government.
- 10:57 a.m. **Defense calls Dominic Domenici.** Sworn in by the Courtroom Deputy.
- 10:58 a.m. Direct examination of Dominc Domenici by Ryan Healy for the Defendant.
- 11:12 a.m. Cross examination of Dominic Domenici by Michael Elmore for the Government.
- 11:15 a.m. No re-direct examination of Dominic Domenici by Ryan Healy. Dominic Domenici excused from the witness stand.
- 11:16 a.m. **Defense calls Zachary Blain via ZOOM.** Sworn in by the Courtroom Deputy.
- 11:17 a.m. Direct examination of Zachary Blain by Ryan Healy for the Defendant.
- 11:27 a.m. Cross examination of Zachary Blain by Michael Elmore for the Government.
- 11:31 a.m. No re-direct examination of Zachary Blain by Ryan Healy. Zachary Blain excused from ZOOM.
- 11:32 a.m. **Defense calls Les Pinkerton via ZOOM.** Sworn in by the Courtroom Deputy.
- 11:33 a.m. Direct examination of Les Pinkerton by Ryan Healy for the Defendant.
- 11:46 a.m. Cross examination of Les Pinkerton by Michael Elmore for the Government.
- 11:48 a.m. No re-direct examination of Les Pinkerton by Ryan Healy. Les Pinkerton excused from the witness stand.

11:49 a.m. Ryan Healy informs the Court that he intends to call his client and suggests lunch break at this time. Brief admonition issued to the jury.

11:50 a.m. Jury excused. Matters discussed with counsel outside the presence of the jury.

11:52 a.m. Court recessed.

12:10 – 1:03 p.m. Jury Instruction Conference held with counsel outside the presence of the jury.

1:21 p.m. Court resumes. Jury brought in.

1:22 p.m. **Defense calls Ronald Ostrom.** Sworn in by the Courtroom Deputy.

1:23 p.m. Direct examination of Ronald Ostrom by Ryan Healy for the Defendant.

1:39 p.m. Side bar held with counsel.

1:40 p.m. Court resumes. Direct examination continues. Defense Exhibit EE, FF admitted by the Court.

2:37 p.m. Side bar held with counsel.

2:38 p.m. Court resumes. Direct examination continues.

2:42 p.m. Cross examination of Ronald Ostrom by Michael Elmore for the Government.

3:01 p.m. Re-direct examination by Ryan Healy.

3:05 p.m. Ronald Ostrom excused from the witness stand. Judge informs everyone that she wishes to take afternoon break at this time. Brief admonition issued to the jury.

3:07 p.m. Jury excused. Matters discussed with counsel outside the presence of the jury.

3:10 p.m. Court recessed for afternoon break.

3:25 p.m. Court resumes. Jury brought in.

- 3:27 p.m. **Defense rests.** Government informs the Court they will present a rebuttal case.
- 3:29 p.m. **Government calls Trampus Barhaug.** Sworn in by the Courtroom Deputy. Direct examination of Trampus Barhaug by Michael Elmore for the Government.
- 3:30 p.m. No cross examination by Ryan Healy for the Defense. Trampus Barhaug excused from the witness stand. **Government calls Special Agent Travis Lunders.** Direct examination of Agent Lunders by Michael Elmore for the Government.
- 3:31 p.m. No cross examination by Ryan Healy for the Defense. Agent Lunders excused from the witness stand. **Government calls Captain David Harley.** Direct examination of Captain Hartley by Michael Elmore for the Government.
- 3:34 p.m. Cross examination of Captain Hartley by Ryan Healy for the Defense.
- 3:35 p.m. Captain Hartley excused from the witness stand. **Government calls Travis Haworth.** Direct examination of Travis Haworth by Michael Elmore for the Government.
- 3:39 p.m. Cross examination of Travis Haworth by Ryan Healy for the Defense.
- 3:40 p.m. Re-direct examination by Michael Elmore.
- 3:41 p.m. Travis Haworth excused from the witness stand. Michael Elmore informs the Court there are no further witnesses for the Government but does motion the Court to withdraw Defense Exhibits M, N, P, Q, R, U, V, X, II, KK and such is granted by the Court.
- 3:42 p.m. **Evidence closed.** Judge explains to the jury what to expect next.
- 3:44 p.m. Judge reads evidentiary instructions to the jury.
- 4:41 p.m. Judge informs everyone that she wishes to take evening break at this time. Brief admonition issued to the jury.
- 4:44 p.m. Jury excused. Court recessed until tomorrow (12/8/23) at 8:30 a.m.